

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

SCOTT HASEMEIER,

Appellant,

v.

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

CASE NO. 1D06-1549

JAMES R. MCDONOUGH,
SECRETARY, FLORIDA DEPT.
OF CORRECTIONS,

Appellee.

_____ /

Opinion filed June 29, 2006.

An appeal from the Circuit Court for Leon County.
Terry P. Lewis, Judge.

Scott Hasemeier, pro se, Appellant.

Rosa Carson, General Counsel, Department of Corrections, Tallahassee; Charlie Crist, Attorney General, and Linda Horton Dodson, Assistant Attorney General, Tallahassee, for Appellee.

PER CURIAM.

Upon consideration of the appellant's response to the Court's order of May 23, 2006, the Court has determined that the order on appeal is reviewable by motion filed pursuant to Florida Rule of Appellate Procedure 9.430 in the appellate proceeding that

precipitated the order rather than by separate appeal. Wagner v. McDonough, 31 Fla. Law Weekly D1222 (Fla. 1st DCA May 2, 2006). Accordingly, the appeal is hereby dismissed for lack of jurisdiction.

The circuit court's appellate indigency/lien order is properly challenged by filing a motion for review in case number 1D05-3856.

WOLF, PADOVANO, and POLSTON, JJ., CONCUR.